



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
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NOTICE OF BILL RETURNED TO RULES COMMITTEE

March 11, 2019

Mr. Speaker,

The Economic Development and Workforce Services Committee deleted **H.B. 204**, EMPLOYMENT SELECTION PROCEDURES ACT AMENDMENTS, by Representative M. A. Wheatley, and replaced it with **1st Sub. H.B. 204**, EMPLOYMENT SELECTION PROCEDURES ACT AMENDMENTS, with the following amendments, and has returned it to the Rules Committee.

1. *Page 3, Lines 77 through 84:*

77 (ii) in violation of Part 4, Prohibition on Inquiry into Compensation History, the
78 division shall {~~order that the employer pay a penalty of~~} :
79 (A) for the first offense {~~, \$1,000; and~~} , issue a warning;
80 (B) for the second {~~or subsequent~~} offense, {~~\$5,000.~~} order that
the employer pay a penalty of \$500; and
(C) for the third or subsequent offense, order that the employer pay a
penalty of \$1,500.
81 (b) The division shall:
82 (i) retain {~~40%~~} 50% of a penalty payment described in Subsection
(3)(a)(ii); and
83 (ii) pay {~~60%~~} 50% of a penalty payment described in Subsection
(3)(a)(ii) to the aggrieved
84 individual.

2. *Page 4, Lines 112 through 113:*

112 (1) An employer may not seek information regarding an applicant's compensation
113 history from the applicant {~~or anyone connected with~~} . the applicant's

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current or former employer , or an employee of the applicant's current or former employer .

Respectfully,

Mike Winder
Chair

5 HB0204.HC1.wpd 3/11/19 4:10 pm jhumberstone/JH2 ALW/ALH

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